

SENATE RECORD VOTE ANALYSIS

105th Congress
2nd Session

Vote No. 46

March 26, 1998, 5:33 pm
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EDUCATION SAVINGS ACCOUNTS/Cloture (2nd Attempt on Compromise)

SUBJECT: Education Savings Act for Public and Private Schools . . . H.R. 2646. Lott motion to close debate.

ACTION: CLOTURE MOTION REJECTED, 58-42

SYNOPSIS: As amended, H.R. 2646, the Parent and Student Savings Account PLUS Act, will enact the compromise provisions of S. 1133, as reported, on education savings accounts and other education initiatives. It will expand the recently enacted education savings account tax credit, will provide an exclusion from gross income for distributions from qualified State tuition programs, will extend and expand the current-law section 127 tax exclusion (for employer-provided education assistance), and will assist local governments in issuing bonds for school construction by increasing the small-issuer bond exemption. In total, the bill will provide approximately \$6 billion in tax relief for education over the next 10 years. That cost will be more than fully offset by modifying the employer deduction for vacation pay and by changing the treatment of the foreign tax credit carryback and carryforward periods (for increased revenues of \$6.9 billion over 10 years). The education tax credit will be expanded by increasing the annual contribution limit for education IRAs from \$500 to \$2,000 for taxable years 1999 through 2002 and by changing the definition of qualified education expenses to include kindergarten through twelfth (K-12) grade expenses (the credit currently applies only to higher education expenses).

On March 18, 1998, Senator Lott sent to the desk, for himself and others, a motion to close debate on the bill. The vote on that motion was delayed until March 26.

NOTE: A three-fifths majority (60) vote is required to invoke cloture. This vote was the second attempt to invoke cloture on the compromise language.

Those favoring the motion to invoke cloture contended:

(See other side)					
YEAS (58)			NAYS (42)		NOT VOTING (0)
Republicans (55 or 100%)	Democrats (3 or 7%)		Republicans (0 or 0%)	Democrats (42 or 93%)	Republicans (0)
Abraham	Hutchinson	Breaux	Akaka	Inouye	Democrats (0)
Allard	Hutchison	Lieberman	Baucus	Johnson	
Ashcroft	Inhofe	Torricelli	Biden	Kennedy	
Bennett	Jeffords		Bingaman	Kerrey	
Bond	Kempthorne		Boxer	Kerry	
Brownback	Kyl		Bryan	Kohl	
Burns	Lott		Bumpers	Landrieu	
Campbell	Lugar		Byrd	Lautenberg	
Chafee	Mack		Cleland	Leahy	
Coats	McCain		Conrad	Levin	
Cochran	McConnell		Daschle	Mikulski	
Collins	Murkowski		Dodd	Moseley-Braun	
Coverdell	Nickles		Dorgan	Moynihan	
Craig	Roberts		Durbin	Murray	
D'Amato	Roth		Feingold	Reed	
DeWine	Santorum		Feinstein	Reid	
Domenici	Sessions		Ford	Robb	
Enzi	Shelby		Glenn	Rockefeller	
Faircloth	Smith, Bob		Graham	Sarbanes	
Frist	Smith, Gordon		Harkin	Wellstone	
Gorton	Snowe		Hollings	Wyden	
Gramm	Specter				
Grams	Stevens				
Grassley	Thomas				
Gregg	Thompson				
Hagel	Thurmond				
Hatch	Warner				
Helms					

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

A week has passed since the last cloture vote. During that time, the Majority Leader has made five separate proposals on how to proceed to the bill. Each time, Democrats have indicated that they have favored elements of those proposals, so we suppose progress has been made, but at the same time they have also always found new objections. We know that our Democratic colleagues have a different perspective on the course of these negotiations; they believe that they have been ceding ground. Still, we must confess to a degree of frustration. We have been working on this issue for a year now, and we have come up with a compromise proposal that is supported by more than enough Senators to invoke cloture, yet still a minority of Democratic Senators are blocking its passage. Our Democratic colleagues who support this bill are eventually either going to have to support cloture or convince their leadership to agree to a compromise on the order of procedure. If not, negotiations will be endless and we will never see this bill enacted. In that event, the losers will be the 15 million middle-class American families who stand to benefit from the educational benefits it contains.

Those opposing the motion to invoke cloture contended:

We have ceded one point after another during negotiations. We have given some ground on the number and type of amendments that Democrats may offer, and we have also given ground on the amount of debate time that we will use. However, we are not willing to give in to all of the demands of the majority. At times it seemed as though we were inches away from an agreement. We are still hopeful that a fair compromise will be reached. For now, we must again oppose cloture.